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UZBEKISTAN: Trial imminent for Andijan Pentecostal Pastor

By Felix Corley, Forum 18 (<https://www.forum18.org>)

The trial of Uzbek Pentecostal pastor Dmitry Shestakov may be imminent, Forum 18 News Service has learnt. He faces up to twenty years jail, if he is found guilty and receives maximum consecutive sentences for the charges of stirring up inter-religious hatred, leading an "illegal" religious organisation and distributing religious extremist recordings. Prosecutors in Andijan have completed their case against Pastor Shestakov, but have refused to answer questions from Forum 18. Much of the indictment – which Forum 18 has seen - is a defence of Uzbek government policy, and attacks "religious/political extremist organisations which under the guise of meeting religious needs began to strive to seize power", naming Islamic groups and "Charismatics/Pentecostals". These are alleged to want to promote "true Islam" and to turn individuals into zombies. The authorities' harassment of Pastor Shestakov appears to have begun as a reaction to some ethnic Uzbeks becoming Christians.

Pentecostal pastor Dmitry Shestakov could face up to twenty years in prison if found guilty of all the charges facing him of stirring up inter-religious hatred, leading an "illegal" religious organisation and distributing religious extremist recordings, and if the sentences are declared to run consecutively. Prosecutors in the city of Andijan [Andijon] in eastern Uzbekistan completed the case against Pastor Shestakov on 3 February and are ready to present it to court, sources who preferred not to be identified told Forum 18 News Service. Shestakov was then given the opportunity to read the indictment drawn up on 30 January by Senior Investigator Kamolitdin Zulfiev.

However, Forum 18 has been unable to find out when the trial will take place. The Prosecutor's Office in Andijan refused to answer any of Forum 18's questions on 8 February.

The 37-year-old Shestakov – who also uses the name David – is pastor of a registered Full Gospel congregation in the town of Andijan. He was arrested by the National Security Service (NSS) secret police during his church's Sunday service on 21 January.

Senior Investigator Zulfiev's indictment, which Forum 18 has seen, alleges that Pastor Shestakov "did no socially useful work, while under the guise of spreading the Christian faith among citizens having organised meetings among them without registration of a religious organisation in the state agency, illegally organised a religious organisation where he engaged in the production, including with the aim of distribution, of materials inciting religious hatred and insulted the feelings of believers of the religion of Islam".

According to the indictment, Shestakov has been charged under three articles of the Criminal Code: Article 216 ("illegal organisation of social or religious organisations", which carries a maximum five year prison term), Article 156, part 2 ("inciting ethnic, racial or religious hatred", which carries a prison term of between five and ten years) and Article 244-1, part 2 ("distributing materials containing ideas of religious extremism", which carries a maximum five year prison term).

Normally in cases with multiple charges, judges impose concurrent sentences, so those found guilty serve the longest of the prison terms handed down, although judges do have the right to order the prison terms to be served consecutively.

Two days before they completed the case, prosecutors refused to confirm to Forum 18 the exact nature of the charges and when Shestakov's trial is due (see F18News 1 February 2007 http://www.forum18.org/Archive.php?article_id=906).

Much of Senior Investigator Zulfiev's indictment is a defence of the Uzbek government's religious policy and a description of the government's attempts to promote its version of Islam since the end of the Soviet period more than fifteen years ago. The indictment attacks "religious/political extremist organisations which under the guise of meeting religious needs began to strive to seize power", naming the Islamic group Tovba, Islamic Revival and "Charismatics/Pentecostals". It claims the goals of such groups – apparently including the Pentecostals - are to promote "true Islam" and to divide Muslims into differing groups. The indictment alleges that such groups turn individuals into zombies.

Only half way through the indictment, after the bombings in 2003 to 2004 and the 2005 uprising in Andijan allegedly led by the Akramia movement are mentioned, does Zulfiev specifically mention Pastor Shestakov again. The indictment accuses Shestakov of claiming to be a member of Andijan's registered Full Gospel Church while "illegally" gathering more than 100 young people at a time of Russian, Korean, Tatar, Armenian and Uzbek ethnicity for religious meetings on Tuesdays, Fridays, Saturdays and Sundays.

Zulfiev said that in his sermons, Shestakov claimed that his faith is superior to others and that he insulted Islam. The indictment quotes Shestakov as declaring that homosexuality is widely developed in Islam, that "wherever Islam is blood flows" and that "Islam has turned into a religion of terrorism".

Sources have insisted to Forum 18 that Shestakov's words have been taken out of context and that, in particular, in his comments about homosexuality he had quoted the view he had heard the previous day on state television that homosexuality is found not just in Western, "Christian" countries but throughout the world, including in "Islamic" countries. Sources have told Forum 18 that, on the tape, a woman in the congregation is clearly heard to speak up saying that she had also heard that sentiment on television the previous day.

The indictment noted that eleven videotapes, seven CDs, two audiotapes and a book "Jesus – the Greatest of the Prophets" seized in a raid last summer were used as evidence. It said a June 2006 assessment of the book found that it "arouses confrontation within society and between religions".

Since the case was completed, the authorities are said to have tried to impose their own lawyer on Pastor Shestakov, but he declined, preferring to use his own lawyer. Sources say that state-appointed lawyers – available to those without the resources to pay their own lawyer – are more inclined to work closely with the police and prosecutors, rather than to defend the interests of their client.

Prosecutors have long been seeking to imprison Shestakov. Harassment began in May 2006, apparently in reaction to the conversion to Christianity of some ethnic Uzbeks. Police raided his home in June, confiscating recordings of his sermons. Authorities also searched Shestakov's Andijan church, confiscating religious CDs and videos and pressuring members of the congregation to testify against their pastor.

In summer 2006 the Prosecutor's Office intended to launch a case against Shestakov under Article 216-2 of the Criminal Code, which punishes "violation of the law on religious organisations" with imprisonment of up to three years, but then was ordered by the secret police to charge Shestakov with the far more serious offence of treason. After Senior Investigator Kamolitdin Zulfiev lodged a case against him under Article 157 of the Criminal Code, Shestakov, his wife and three daughters were forced to go into hiding to evade arrest (see F18News 20 June 2006 http://www.forum18.org/Archive.php?article_id=803).

The past year has seen increased government control of all religious activity in Uzbekistan. New restrictions have been proposed to punish religious leaders if any members of their communities share their faith with others (see F18News 21 August 2006 http://www.forum18.org/Archive.php?article_id=833) and censorship of religious literature has been intensified (see F18News 29 June 2006 http://www.forum18.org/Archive.php?article_id=805), while massively increased fines for unregistered religious activity were introduced at the end of 2005 (see F18News 27 January 2006 http://www.forum18.org/Archive.php?article_id=720).

Foreign non-governmental organisations with any kind of religious affiliation or suspected of having a religious affiliation have been closed down (see F18News 10 October 2006 http://www.forum18.org/Archive.php?article_id=852) and foreign citizens involved in religious activity have been deported (see F18News 21 August 2006 http://www.forum18.org/Archive.php?article_id=833). At the same time the government has stepped up its propaganda offensive trying to deny that it violates religious freedom (see F18News 19 December 2006 http://www.forum18.org/Archive.php?article_id=891). (END)

For a personal commentary by a Muslim scholar, advocating religious freedom for all faiths as the best antidote to Islamic religious extremism in Uzbekistan, see http://www.forum18.org/Archive.php?article_id=338.

For more background, see Forum 18's Uzbekistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=777.

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806, and of religious intolerance in Central Asia is at http://www.forum18.org/Archive.php?article_id=815.

A printer-friendly map of Uzbekistan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=uzbeki>

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